IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.T.SANKARAN

FRIDAY, THE 17TH NOVEMBER 2006 / 26TH KARTHIKA 1928

Crl.Rev.Pet.No. 4000 of 2006()

CRA.21/2002 of I ADDL. SESSIONS COURT, KOLLAM
CC.420/1997 of JUDL.MAGISTRATE OF FIRST CLASS, PARAVOOR

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REVN. PETITIONER/APPELLANT/ACCUSED:

SURESH KUMAR, RAJESH MANDIRAM,
PUNNAMOODU, ULIYACOVIL P.O., KOLLAM.

BY ADV. SRI. K.SIJU

RESPONDENTS/COMPLAINANT & STATE:

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1. GOPINATHAN PILLAI, RAVI NILAYAM,
KOTTAPPURAM, PARAVOOR P.O., KOLLAM.

2. STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY ADV. SRI.PRATHEESH.P
BY GOVT. PLEADER SRI. KAMMAPPA

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 17/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.T.SANKARAN, J

Crl. R.P. No. 4000 OF 2006

Dated this the 17th day of November, 2006

ORDER

The petitioner was convicted for the offence under Section 138 of the Negotiable Instruments Act and was sentenced by the trial court to undergo simple imprisonment for a period of six months and to pay a compensation of Rs. 50,000/- to the complainant under Section 357(3) of the Code of Criminal Procedure. The petitioner challenged the conviction and sentence in appeal. The appellate court confirmed the conviction and sentence.

A petition for compounding the offence, under Section 147 of the Negotiable Instruments Act, is filed as Crl. M.A. No. 11516/2006 which is signed by the complainant and the accused and their counsel. The counsel for the first respondent/complainant has also appeared before this court. It is stated in the compounding petition that a sum of Rs.50,000/- was paid to the complainant and the matter was settled between the parties. The petition for compounding is allowed and the conviction and sentence against the petitioner are set aside and he is acquitted under Section 320(8) of the Code of Criminal Procedure.

K.T.SANKARAN,
JUDGE

csl